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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet 1 of 7

**Complete if Known**

|                        |                   |
|------------------------|-------------------|
| Application Number     | 09/396,196        |
| Filing Date            | 09/15/99          |
| First Named Inventor   | Mittmann, et. al. |
| Group Art Unit         | 1631              |
| Examiner Name          | S. Zhou           |
| Attorney Docket Number | 3101.1            |

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| Examiner Initials * | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|---------------------|-----------------------|---|----------------|
|                     | 1                     | <del>LIPSHUTZ R.J. Letter from Dr. Lipshutz to Dr. Carrano, August 22, 1994. Link</del>   |                |
|                     | 2                     | <del>AFFYMETRIX: GeneChip® Assays and Controls Price List, November, 1997. Link</del>   |                |
|                     | 3                     | <del>AFFYMETRIX: GeneChip® Arrays and Assays Product List, January, 1998. Link</del>  |                |
|                     | 4                     | <del>AFFYMETRIX: GeneChip® Arrays and Assays Product List, November, 1998. Link</del>   |                |
|                     | 5                     | <del>AFFYMETRIX: GeneChip® Arrays and Reagents, February, 1999. Link</del>  |                |
|                     | 6                     | <del>AFFYMETRIX: GeneChip® Price Catalog (U.S. and Canada), July, 1999. Link</del>  |                |
|                     | 7                     | <del>AFFYMETRIX: Addendum (U.S. and Canada) GeneChip® Arrays and Reagents, August, 1999. Link</del>   |                |
|                     | 8                     | <del>AFFYMETRIX: GeneChip® Price Catalog (U.S. and Canada), January, 2000. Link</del>   |                |
|                     | 9                     | <del>AFFYMETRIX: Affymetrix® Catalog Addendum GeneChip® Arrays and Reagents (U.S. and Canada), February, 2000. Link</del>   |                |
|                     | 10                    | <del>AFFYMETRIX: Affymetrix® Product Catalog (Global), August, 2000. Link</del>   |                |
|                     | 11                    | <del>AFFYMETRIX: Affymetrix® Product Catalog (Global), January, 2001. Link</del>  |                |

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|                        | 12                       | <del>AFFYMETRIX: Affymetrix® Product Catalog (Global), January, 2002. Link</del>  |                |
|                        | 13                       | <del>AFFYMETRIX: Affymetrix® Product Catalog (Global), July, 2002. Link</del>   |                |
|                        | 14                       | <del>AFFYMETRIX: Product Information GeneChip® HuSNP Mapping Assay, 1999. Link</del>  |                |
|                        | 15                       | <del>AFFYMETRIX: Product Information GeneChip® GenFlex™ Tag Array, 2000. Link</del>   |                |
|                        | 16                       | <del>AFFYMETRIX: Product Information GeneChip® Yeast Genome S98 Array, 2000. Link</del>   |                |
|                        | 17                       | <del>AFFYMETRIX: Product Information GeneChip® HIV PRT Assay, 1997. Link</del>  |                |
|                        | 18                       | <del>AFFYMETRIX: Product Information GeneChip® HIV PRT Plus, 1998. Link</del>   |                |
|                        | 19                       | <del>AFFYMETRIX: Product Information GeneChip® p53 Assay, 1997. Link</del>  |                |
|                        | 20                       | <del>AFFYMETRIX: Product Information GeneChip® p53 Probe Array and Reagents, 1998. Link</del>   |                |
|                        | 21                       | <del>AFFYMETRIX: Product Information GeneChip® CYP450 Assay, 1997. Link</del>   |                |
|                        | 22                       | <del>AFFYMETRIX: Product Information GeneChip® CYP450 Probe Array and Reagents, 1998. Link</del>  |                |

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|   |                        | Application Number       | 09/396,196        |
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|   |                        | First Named Inventor     | Mittmann, et. al. |
|   |                        | Group Art Unit           | 1631              |
|   |                        | Examiner Name            | S. Zhou           |
| Sheet 3 of 7  | Attorney Docket Number | 3101.1                   |                   |

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|  | 23                    | <del>AFFYMETRIX: Product Information GeneChip® Hu6800 Array, 1998. <a href="#">Link</a></del>   |                |
|  | 24                    | <del>AFFYMETRIX: Product Information Human Genome U95 Set, 2000. <a href="#">Link</a></del>   |                |
|  | 25                    | <del>AFFYMETRIX: Product Information GeneChip® Human Genome U133 Set, 2001. <a href="#">Link</a></del>  |                |
|  | 26                    | <del>AFFYMETRIX: Product Information GeneChip® Human Genome Focus Array, 2002. <a href="#">Link</a></del>   |                |
|  | 27                    | <del>AFFYMETRIX: Product Information GeneChip® Human Cancer G110 Array, 1999. <a href="#">Link</a></del>  |                |
|  | 28                    | <del>AFFYMETRIX: Product Information Rat Neurobiology U34 Array, 2000. <a href="#">Link</a></del>   |                |
|  | 29                    | <del>AFFYMETRIX: Product Information GeneChip® Rat Genome U34 Array Set, 1999. <a href="#">Link</a></del>   |                |
|  | 30                    | <del>AFFYMETRIX: Product Information GeneChip® Test1, 1998. <a href="#">Link</a></del>  |                |
|  | 31                    | <del>AFFYMETRIX: Product Information GeneChip® Test2 Array, 1999. <a href="#">Link</a></del>  |                |
|  | 32                    | <del>AFFYMETRIX: Product Information GeneChip® Test3 Array, 2001. <a href="#">Link</a></del>  |                |
|  | 33                    | <del>AFFYMETRIX: Product Information GeneChip® Yeast Genome S98 Array, 1999. <a href="#">Link</a></del>   |                |

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Sheet 4 of 7

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|                     | 34                    | <del>AFFYMETRIX: Product Information GeneChip® Mu6500 Set, 1998. Link</del>   |                |
|                     | 35                    | <del>AFFYMETRIX: Product Information GeneChip® Murine Genome U74 Set, 2001. Link</del>  |                |
|                     | 36                    | <del>AFFYMETRIX: Product Information GeneChip® Murine 11K Set, 1998. Link</del>   |                |
|                     | 37                    | <del>AFFYMETRIX: Product Information GeneChip® Murine 11K Set, 2001. Link</del>   |                |
|                     | 38                    | <del>AFFYMETRIX: Product Information GeneChip® Murine 10K Set, 1998. Link</del>   |                |
|                     | 39                    | <del>AFFYMETRIX: Product Information Arabidopsis Genome Array, 2000. Link</del>   |                |
|                     | 40                    | <del>AFFYMETRIX: Product Information GeneChip® Arabidopsis ATH1 Genome Array, 2002. Link</del>  |                |
|                     | 41                    | <del>AFFYMETRIX: Product Information E. coli Genome Array, 2000. Link</del>   |                |
|                     | 42                    | <del>AFFYMETRIX: Product Information GeneChip® E. coli Antisense Genome Array, 2001. Link</del>   |                |
|                     | 43                    | <del>AFFYMETRIX: Product Information GeneChip® P. aeruginosa Genome Array, 2001. Link</del>   |                |
|                     | 44                    | <del>AFFYMETRIX: Product Information P. aeruginosa Genome Array, 2001. Link</del>   |                |

Examiner Signature

*[Signature]*

Date Considered

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 5 of 7

## Complete if Known

Application Number 09/396,196  
 Filing Date 09/15/99  
 First Named Inventor Mittmann, et. al.  
 Group Art Unit 1631  
 Examiner Name S. Zhou  
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|                     | 45                    | <del>AFFYMETRIX: Product Information Drosophila Genome Array, 2000. Link</del>  |                |
|                     | 46                    | <del>AFFYMETRIX: Product Information GeneChip® B. subtilis Genome Array, 2002. Link</del>   |                |
|                     | 47                    | <del>AFFYMETRIX: Product Information GeneChip® C. elegans Genome Array, 2002. Link</del>  |                |
|                     | 48                    | <del>AFFYMETRIX: Product Information GeneChip® Custom Arrays, 1998. Link</del>  |                |
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Sheet 6 of 7

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|---------------------|-----------------------|--|----------------|
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|                     |                       |  |                |
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|                     |                       | Number - Kind Code <sup>2</sup> (if known) |                                |  |   |
|                     | 76                    | US-5,143,854                               | 09-01-1992                     | Pirung et al. <a href="#">Link</a>                 |   |
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<sup>1</sup> Unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180

Complete if Known

Application Number 09/396,196  
Filing Date 09/15/99  
First Named Inventor Mittmann, et. al.  
Examiner Name S. Zhou  
Group / Art Unit 1631  
Attorney Docket No. 3101.1

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
Order

☒ Deposit Account:

Deposit  
Account  
Number 01-0431

Deposit  
Account  
Name Affymetrix, Inc.

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee  
to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 750      | 2001         | 375      | Utility filing fee     |          |
| 1002         | 330      | 2002         | 165      | Design filing fee      |          |
| 1003         | 520      | 2003         | 260      | Plant filing fee       |          |
| 1004         | 750      | 2004         | 375      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |

SUBTOTAL (1)

(\$ 0)

### 2. EXTRA CLAIM FEES

|                       |                      |        | Extra<br>Claims |                      | Fee from<br>below |                      | Fee<br>Paid |                      |
|-----------------------|----------------------|--------|-----------------|----------------------|-------------------|----------------------|-------------|----------------------|
| Total Claims          | <input type="text"/> | -20 ** | =               | <input type="text"/> | X                 | <input type="text"/> | =           | <input type="text"/> |
| Independent<br>Claims | <input type="text"/> | -3 **  | =               | <input type="text"/> | X                 | <input type="text"/> | =           | <input type="text"/> |
| Multiple<br>Dependent |                      |        |                 |                      | X                 | <input type="text"/> | =           | <input type="text"/> |

| Large Entity |          | Small Entity |          | Fee Description  |
|--------------|----------|--------------|----------|--|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                     |
| 1201         | 84       | 2201         | 42       | Independent claims in excess of 3                          |
| 1203         | 280      | 2203         | 140      | Multiple dependent claim, if not paid                      |
| 1204         | 84       | 2204         | 42       | ** Reissue independent claims over original patent         |
| 1205         | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051         | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
| 1052         | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053         | 130      | 1053         | 130      | Non-English specification  |          |
| 1812         | 2,520    | 1812         | 2,520    | For filing a request for reexamination                                     |          |
| 1804         | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805         | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251         | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
| 1252         | 410      | 2252         | 205      | Extension for reply within second month                                    |          |
| 1253         | 930      | 2253         | 465      | Extension for reply within third month                                     |          |
| 1254         | 1,450    | 2254         | 725      | Extension for reply within fourth month                                    |          |
| 1255         | 1,970    | 2255         | 985      | Extension for reply within fifth month                                     |          |
| 1401         | 320      | 2401         | 160      | Notice of Appeal   |          |
| 1402         | 320      | 2402         | 160      | Filing a brief in support of an appeal                                     |          |
| 1403         | 280      | 2403         | 140      | Request for oral hearing   |          |
| 1451         | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452         | 110      | 2452         | 55       | Petition to revive - unavoidable   |          |
| 1453         | 1,300    | 2453         | 650      | Petition to revive - unintentional   |          |
| 1501         | 1,300    | 2501         | 650      | Utility issue fee (or reissue)   |          |
| 1502         | 470      | 2502         | 235      | Design issue fee   |          |
| 1503         | 630      | 2503         | 315      | Plant issue fee  |          |
| 1460         | 130      | 1460         | 130      | Petitions to the Commissioner  |          |
| 1807         | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17 (q)                                       |          |
| 1806         | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  | 180.0    |
| 8021         | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809         | 750      | 2809         | 375      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810         | 750      | 2810         | 375      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801         | 750      | 2801         | 375      | Request for Continued Examination (RCE)                                    |          |
| 1802         | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 180)

## SUBMITTED BY

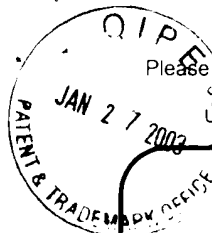
| Name (Print/Type) |  | Registration No. Attorney/Agent |  | Telephone        |  |
|-------------------|--|---------------------------------|--|------------------|--|
| Sandra Wells      |  | 52,349                          |  | 408-731-5000     |  |
| Signature         |  | Date                            |  | January 22, 2003 |  |
| Sandra Wells      |  |                                 |  |                  |  |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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Please type a plus sign (+) inside this box → ☒

PTO/SB/21 (6-98)

Approved for use through 09/30/2000: OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|                        |                   |
|------------------------|-------------------|
| Application Number     | 09/396,196        |
| Filing Date            | 09/15/99          |
| First Named Inventor   | Mittmann, et. al. |
| Group Art Unit         | 1631              |
| Examiner Name          | S. Zhou           |
| Attorney Docket Number | 3101.1            |

Total Number of Pages in This Submission

### ENCLOSURES (check all that apply)

|  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><br><input type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment / Response<br><br><input type="checkbox"/> After Final<br><br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><br><input type="checkbox"/> Drawing(s)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition<br><br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Small Entity Statement<br><br><input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication to Group<br><br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><br><input checked="" type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):<br><div style="border: 1px solid black; padding: 5px; margin-top: 5px;"><p>1) ) Form PTO/SB/08B (seven pages)<br/>2) One CD with electronic copy of references<br/>3) Return postcard</p></div> |
|--|---|---|

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                         |                               |
|-------------------------|-------------------------------|
| Firm or Individual name | Sandra Wells, Reg. No- 52,349 |
| Signature               |                               |
| Date                    | January 22, 2003              |

### CERTIFICATE OF MAILING

|   |                  |      |                  |
|---|------------------|------|------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <span style="border: 1px solid black; padding: 2px;">January 22, 2003</span> |                  |      |                  |
| Typed or printed name   | Leticia R. Block |      |                  |
| Signature   |                  | Date | January 22, 2003 |

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